

**DIVISION OF ENVIRONMENTAL HEALTH  
SOLID WASTE PROGRAM  
610 UNIVERSITY AVENUE  
FAIRBANKS, AK 99709-3643**  
<http://www.state.ak.us/dec>

**Telephone: (907) 451-2135  
Fax: (907) 451-2187**

**File Number: 600.15.001**

December 21, 2000

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED #**

Luther Naguruk  
City Administrator  
City of Elim  
P.O. Box 39009  
Elim, AK 99739

**Re: City of Elim Landfill, Solid Waste Disposal Permit #0032-BA002**

Dear Mr. Naguruk:

The Department of Environmental Conservation has completed its evaluation of your request for a solid waste disposal permit for the operation and maintenance of a municipal solid waste landfill located at Mile 2, Moses Point Road, north of Elim. The landfill consists of approximately 5 acres and is located within Section 2, Township 10 South, Range 18 West, Kateel River Meridian, Alaska. The Department is issuing this permit in accordance with AS 46, 18 AAC 15, and 18 AAC 60. Please review the conditions and stipulations in the permit and ensure they are all understood. This permit is effective upon issuance and expires **December 1, 2005**.

Any person who disagrees with this decision may appeal the decision by requesting an adjudicatory hearing, using the procedures contained in 18 AAC 15.200-310. Hearing requests must be delivered to the Commissioner of the Department of Environmental Conservation, 555 Cordova Street, Anchorage, Alaska 99501, within thirty (30) days of receipt of this letter. If a hearing is not requested within thirty (30) days, the right to appeal is waived. Even if an adjudicatory hearing has been requested and granted, all permit conditions remain in full force and effect. Please also send a copy of the request to the undersigned.

Sincerely,

Heather T. Stockard  
Solid Waste Program Manager

Enclosure: Permit 0032-BA001

cc w/enc: Donna Mears, ANTHC-Anchorage  
Susan Magee, DGC-Anchorage  
Paul McLarnon, HDR-Anchorage  
Trustees for Alaska/Anchorage

Bcc w/enc: Kent Monroe, ADEC/SW-Fairbanks

**ALASKA DEPARTMENT  
OF  
ENVIRONMENTAL CONSERVATION  
DIVISION OF ENVIRONMENTAL HEALTH  
610 UNIVERSITY AVENUE  
FAIRBANKS, ALASKA 99709-3643**

**SOLID WASTE DISPOSAL PERMIT**

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Permit: **0032-BA002**

Date: December 21, 2000

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This Solid Waste Disposal Permit is issued to the City of Elim for the operation and maintenance of a Class III Municipal Solid Waste Landfill near Elim, Alaska, located in Section 2, T. 10 S., R. 18 W., Kateel River Meridian. This permit is subject to the conditions and stipulations contained in Appendices A and B, which are incorporated herein by reference.

This permit is issued under provisions of Alaska Statute 46.03, the Alaska Administrative Code, as amended or revised, and other applicable State laws and regulations.

This permit is effective upon issuance and expires **December 1, 2005.** It may be terminated or modified in accordance with AS 46.03.120.

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Heather T. Stockard  
Solid Waste Program Manager

## **APPENDIX A - SPECIFIC CONDITIONS**

### **I. SITE DEVELOPMENT**

The permit holder shall:

- A. Comply with the designs and plans in the application dated May 2, 2000 and the additional information dated September 12, 2000 as well as the following permit conditions. Additional modifications may be requested, but must be authorized by a permit amendment, before that modification is effective.
- B. Ensure that all operations will accommodate the waste volume and are done in a manner that will facilitate landfill closure.
- C. Maintain a separation distance of 50 feet between the edge of all waste disposal cells and the property boundary.
- D. Ensure that surface water runoff from outside the facility does not flow onto the facility and over, into, or through uncovered or covered solid wastes by constructing and maintaining diversion structures, such as ditches or berms.
- E. Erect and maintain a readily visible sign at the site currently in use with the following information legibly printed:
  - Facility Operator Identification
  - Operator/Owner Name
  - Conditions for Use
  - Emergency Phone Numbers
- G. Erect and maintain a sign at the entrance to the site that lists items that may not be disposed of there such as: hazardous wastes, acids, corrosives, solvents, oily wastes, explosives, radioactive wastes, or unsterilized medical waste.
- H. Erect and maintain readily visible signs in the facility directing users to the various disposal areas (e.g., the active disposal area working face, the salvage area, or the burn box disposal area) and listing pertinent rules for public use.
- I. Ensure that the site is managed in such a way to prevent attracting wildlife, or domestic animals to the facility.

I. SITE DEVELOPMENT (cont.)

- J. Construct and maintain fences and a locking gate to control site and wildlife access. Access to the site will be restricted to the hours of operation or on a special call out basis. The gate must be locked after operating hours when the landfill is closed.

II. SITE OPERATION

The permit holder shall:

A. General Operating Procedures

1. Ensure that only domestic solid waste, construction and demolition wastes, septage solids, and ash are disposed of at this site.
2. Ensure that the public is made aware of the rules and operations plan for the landfill. Control public access to the site, as necessary, to reduce risks to public health and safety.

B. Burial

1. Consolidate and compact all loose refuse in a layer no deeper than 2 feet using 3 to 5 passes of the bulldozer/compaction equipment prior to placement of the cover material.
2. Cover with a minimum of six inches of compacted soil every two weeks during the summer months as long as the soils are workable.
3. Consolidate and compact all loose refuse every month during the winter. Cover compacted waste with soil during the winter if stockpiled soils are workable. Cover with a minimum of 6 inches of soil as soon as soils are workable in spring.
4. Ensure that solid wastes are not placed in surface waters.
5. Ensure that the maximum disposal cell working face does not exceed 50 feet in width and the height does not exceed 8 feet. Ensure the working face is kept as small as practical to reduce the potential for windblown litter and for the attraction of birds and animals.

II. SITE OPERATION (cont.)

B. Burial (cont.)

6. Ensure that waste oils or oily wastes are managed in accordance with 40 CFR 279. Oil filters must be hot drained and crushed or incinerated prior to disposal.
7. Ensure that all large containers (e.g., cleaned barrels or drums) are crushed and flattened to prevent voids in the fill. Ensure that all nonsalvageable drums are empty of fluids prior to crushing and burying. All fluids removed from drums will be properly disposed of in accordance with all applicable State and Federal laws, including but not limited to, RCRA, the Clean Water Act, the Clean Air Act, Title 46 of Alaska Statutes and 18 AAC 60.
8. Ensure that scrap vehicles or automobiles have been drained of all petroleum products and coolants, and the lead-acid batteries have been removed prior to disposal at the site.
9. Ensure that refrigerators/freezers are drained of fluids by a certified technician prior to disposal at the site.

C. Burning

1. Prohibit open burning on the working face and immediately extinguish any fires that occur on the working face.
2. Notify the Department of Environmental Conservation, Fairbanks Office, at 451-2108 within 24-hours of a fire, if any fires occur on the working face.
3. Allow controlled open burning of wastes which do not create black smoke, if done in an area away at least 50 feet from the working face in burn boxes, burn cages, or other enhanced burning devices.
4. Ensure that an attendant is on duty when waste is burning.
5. Empty the burn box or cage of ash at least once each month or more often, if necessary, to maintain good airflow and prevent smoldering of waste. Ash is buried on the working face only when completely cooled.
6. Implement a waste separation plan, as necessary, to ensure the best burning efficiency for the waste being burned and prevent black smoke.

II. SITE OPERATION (cont.)

D. Animal Waste

1. Ensure that animal and fish wastes will be placed in an area designated for their disposal at the site.
2. Ensure that animal and fish wastes are coated with a thin layer of hydrated lime and covered immediately with at least six inches of soil after each disposal. A supply of hydrated lime must be available for the operator to treat waste placed at the site.

E. Septage/Honey Bucket Waste

1. Septic tank pumpings or septage solids will only be placed in the designated and separate disposal area.
2. Maintain a minimum six-foot separation distance between the seasonal high groundwater and bottom of the disposal area.
3. Ensure that septic tank pumping waste is covered with a minimum of 12 inches of soil as soon as liquids have drained after disposal.
4. Maintain records of the volume (in gallons) of septic tank pumpings and septage solids disposed of at the site each year. Make these records available to the Department for review upon request.

G. Salvage Area

1. Establish and maintain a controlled salvage area for the public away from the working face. Designate the salvage area with a sign.
2. Clean up the salvage area on an annual basis and place unused materials in the active cell area for disposal. Salvage area cleanups will be conducted on a more frequent basis if the area becomes a litter, nuisance or safety problem.

H. Access

Construct and maintain on-site roads as necessary to ensure adequate traffic control. Adequate traffic control means that the site supervisor will maintain positive control of all persons who are within the landfill boundaries, and that refuse will be deposited in approved locations. Dumping in unauthorized areas violates conditions of this permit and Alaska Administrative Codes.

## II. SITE OPERATION (cont.)

### I. Litter

Collect all windblown and littered refuse from the disposal site and along the entrance road at least once each month during summer months and return it to the active disposal area for burial. All littered wastes on lands within five hundred (500) feet of the site, whether windblown or dumped, will be collected and disposed of at a frequency necessary to prevent this litter from becoming an aesthetic nuisance.

### J. Snow Control

1. Remove snow where possible from the disposal cell operations area prior to winter compaction operations and spring snowmelt.
2. Deposit any snow removed from the landfill working face area to a place within the landfill and downslope from the working face area. Clean up any accumulated litter in that area after the snow melts.
3. Erect snow fences or berms, as necessary, to control blowing snow at the site.

## III. PROHIBITIONS AND SPECIAL RESTRICTIONS

The permit holder shall:

- A. Prohibit discharge of firearms at the facility.
- B. Prohibit disposal of regulated asbestos containing material at this site. Non-regulated asbestos containing material may be disposed of on a case-by-case basis, with written approval of the ADEC Fairbanks office, if the site is in compliance with the requirements of 18 AAC 60.490 a (1-3).
- C. Prohibit disposal of hazardous wastes, as defined in 40 CFR 261.3, oily wastes, waste oil, greases, paints, sludges, and chemical wastes at this facility.
- D. Prohibit disposal of lead-acid vehicle batteries at this site. Batteries may be stored temporarily in a designated area in covered, leak-proof storage containers prior to their transport to a recycler or permitted disposal site.
- E. Prohibit storage of used oil, or antifreeze or other bulk liquids at the landfill site. Used oil and other hazardous bulk liquids must be stored in a bermed and lined area located away from the landfill facility.

III. PROHIBITIONS AND SPECIAL RESTRICTIONS (cont.)

- F. Prohibit disposal of contaminated soil that contains metals or other chemicals in concentrations that the Department determines poses an unacceptable risk to human health or the environment. Prohibit the disposal of contaminated soil which:
1. Contains concentrations of hazardous substances exceeding one or more of the applicable migration to groundwater levels set in 18 AAC 75.341 Table B1 or Table B2;
  2. Exhibits the characteristic of toxicity described in 40 C.F.R. 261.24(a); or
  3. Is determined by the Department under 18 AAC 75 to pose a migration to surface water threat. Soil contamination that does not exceed migration to groundwater levels may still be considered contaminated soil under 18 AAC 75.
- G. Prohibit the disposal of unsterilized medical waste. Medical waste must be decontaminated or sterilized, and then packaged to prevent a health hazard before disposing of in the landfill.
- H. Prohibit the disposal of bulk liquids at the site. Containers being disposed of must hold one gallon or less of liquid.

IV. MONITORING AND REPORTING

The permit holder shall:

- A. Visually monitor the site each month for signs of damage or potential damage to any part of the facility due to settlement, ponding, leakage, frost action, erosion or operations at the site. The visual inspection should include observations for any violations of the permit conditions for the facility. Retain the results of visual monitoring in the operating record for the facility for review during inspections.
- B. Maintain a set of site development and use plans and submit an updated copy to the Department showing current status of site development by December 31 of each year of the permit.

V. MONITORING AND REPORTING (cont.)

- C. Maintain an Operating Record in a readily accessible place in the community or at the landfill containing:
1. A copy of the permit application.
  2. A copy of the solid waste disposal permits.
  3. Operating plans described in 18 AAC 60.210(b)(9).
  4. Monthly visual inspection records.
  5. Staff training records (e.g. landfill operations, safety).
  6. Records of the volume of wastes received at the landfill showing how the facility meets Class III criteria (i.e. 5 tons/day).
  7. Location restriction demonstrations for minimum distance to runways or flood plains.
  8. Annually updated as-built drawings of the landfill.

V. CLOSURE AND RESTORATION

The permit holder shall:

- A. Notify the Department's Fairbanks/Northern Office at least thirty (30) days before the site is to be permanently closed and the equipment withdrawn.
- B. Ensure that a final cover is applied within ninety (90) days after the last waste is deposited, and consists of a minimum of 2 feet of soil. The top six inches will consist of soil that will promote adequate water retention for the successful revegetation of the site with native vegetation or grasses.
- C. Ensure that the covered areas and drainage control structures are graded to promote and maintain surface water runoff, to prevent ponding and erosion, and to minimize the amount of water entering the solid waste.
- D. Develop and implement a vegetative cover plan for completed areas within the first growing season after closure, using plant species recommended by the Alaska Plant Material Center (907) 745-4469.
- E. Prepare a survey as-built or record drawings showing the location, volume and type of waste deposited at the solid waste disposal site, and a legal description of the landfill property which would be found during a title search. Submit the as built to the ADEC Solid Waste Program, Fairbanks Office, within sixty (60) days of the final closure or expiration date of this permit.

V. CLOSURE AND RESTORATION (cont.)

- F. Within sixty (60) days after the entire facility is permanently closed to landfilling, file the survey as-built or record drawings of the area used as a landfill with the State Recorder's Office or other appropriate land records office approved by the Department. At the same time, file a notation informing future property owners that use of the land may not disturb the integrity of the final cover, cap, or other structures or devices installed as part of closure, unless approved by the Department. Submit proof of these recordings to this Department.
- G. Visually inspect the site annually during the spring, for at least 5 consecutive years following closure, to check for signs of damage from settlement or erosion. Maintain a record of the visual inspections documenting any problems and repairs, as necessary and maintain these reports in the operating record for the facility.
- H. Notify the Department at the end of the 5-year post-closure period with a description of the conditions at the site and photographs of the closed landfill area.

## **APPENDIX B - GENERAL PERMIT CONDITIONS**

### **I. ACCESS AND INSPECTION**

The permittee shall allow the Commissioner or her/his representative access to the permitted facilities at reasonable times to conduct scheduled or unscheduled inspections or tests to determine compliance with this permit, State laws, and regulations.

### **II. INFORMATION ACCESS**

Except for information relating to confidential processes or methods of manufacture, all records and reports submitted in accordance with the terms of this permit shall be available for public inspection at the State of Alaska Department of Environmental Conservation, Fairbanks Office, 610 University Avenue, Fairbanks, Alaska 99709-3643.

### **III. CIVIL AND CRIMINAL LIABILITY**

Nothing in this permit shall relieve the permittee from civil or criminal penalties for noncompliance, whether or not such noncompliance is due to factors beyond his control, including, but not limited to, accidents, equipment breakdowns, or labor disputes.

### **IV. AVAILABILITY**

The permittee shall post or maintain a copy of this permit available to the public at the disposal facility.

### **V. ADVERSE IMPACT**

The permittee shall take all necessary means to minimize any adverse impacts to the receiving waters or lands resulting from noncompliance with any limitation specified in this permit, including any additional monitoring needed to determine the nature and impact of the noncomplying activity. The permittee shall cleanup and restore all areas adversely impacted by the noncompliance.

### **VI. CULTURAL OR PALEONTOLOGICAL RESOURCES**

Should cultural or paleontological resources be discovered as a result of this activity, work which would disturb such resources is to be stopped, and the State Historic Preservation Office, Division of Parks and Outdoor Recreation, Department of Natural Resources, is to be notified immediately (907-269-8721).

VII. APPLICATIONS FOR RENEWAL

In accordance with 18 AAC 15.100(d), applications for renewal or amendment of this permit must be made no later than thirty (30) days before the expiration date of the permit or the planned effective date of the amendment.

VIII. OTHER LEGAL OBLIGATIONS

The requirements, duties, and obligations set forth in this permit are in addition to any requirements, duties, or obligations contained in any permit that the Alaska Department of Environmental Conservation or the U.S. Environmental Protection Agency has issued or may issue to the permittee.

This permit does not relieve the permittee from the duty to obtain any and all necessary permits and to comply with the requirements contained in any such permit or with applicable state and federal laws and regulations. All activities conducted by the permittee pursuant to the terms of this permit and all plans implemented by the permittee pursuant to the terms of this permit shall comply with all applicable state and federal laws and regulations.

IX. POLLUTION PREVENTION

In order to prevent and minimize present and future pollution, when making management decisions that affect waste generation, the permittee shall consider the following order of priority options: waste source reduction; recycling of waste; waste treatment; and waste disposal.